

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**International Application No.  
PCT/EP2004/053618International Filing Date  
20 December 2004Priority Date Claimed  
18 December 2003**TITLE OF INVENTION: 5- OR 6-SUBSTITUTED BENZIMIDAZOLE DERIVATIVES AS INHIBITORS OF  
RESPIRATORY SYNCYTIAL VIRUS REPLICATION**

Applicant(s) for DO/EO/US

BONFANTI, Jean-François; ANDRIES, Koenraad Jozef Lodewijk; FORTIN, Jérôme Michel Claude; MULLER, Philippe; DOUBLET, Frédéric Marc Maurice; MEYER, Christophe; WILLEBRORDS, Rudy Edmond; GEVERS, Tom Valerius Josepha; TIMMERMAN, Philip Maria Martha

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau), as well as the Published Application No. WO2005/058874A1
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) has been filed in the PCT Request (Rule 4.17 (iv)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information Power of Attorney; Statement Under 37 CFR 3.73(b)..

U.S. Application No. (if known, see 37 CFR 1.5)		International Application No. PCT/EP2004/053618		Attorney's Docket Number TIP-0063USPCT	
The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> BASIC NATIONAL FEE (37 CFR 1.492(a))		\$300.00		<b>\$300.00</b>	
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492(a)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) All other situations		\$0 \$200.00		<b>\$200.00</b>	
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) Search Fee (37 CFR 1.44(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority International Search Report prepared by an ISA other than the US and provided to the Office of previously communicated to the US by the IB All other situations		\$0 \$100.00 \$400.00 \$500.00		<b>\$500.00</b>	
TOTAL OF 21, 22 AND 23 =					
Additional Fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CRD 1.821(c) or (e) or computer program listing in an electronic medium ((37 CFR 1.492(j)). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof. <b>Total Sheets: 98 -100 Extra Sheets: /50 Rate: x250 -</b>				<b>\$1000.00 (total)</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate	\$	
Total Claims	37-20 =	17	x \$ 50.00	<b>\$ 850.00</b>	
Independent Claims	1-3 =	0	x \$ 200.00	\$	
Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS</b> =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2				+	
<b>SUBTOTAL</b> =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE</b> =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				+	
<b>TOTAL FEES ENCLOSED</b> =				<b>\$1850.00</b>	
				Amount to be refunded: \$	
				charged: <b>\$1850.00</b>	

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 10-0750/TIP-0063USPCT/AGK in the amount of \$1850.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0750/ TIP-0063USPCT/AGK. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Philip S. Johnson, Esq.

Johnson & Johnson

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New Brunswick, NJ 08933-7003

USA

/Alana G. Kriegsman/\_\_\_\_\_

Signature

Alana G. Kriegsman

Name

June 15, 2006

Dated

41,747

Registration Number